



1635  
**PATENT APPLICATION**  
 Attorney Docket No. 06225.0003.CPUS02  
 Date: December 9, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Gilchrest *et al.*  
 Application No.: 09/540,843  
 Filed: March 31, 2000  
 For: USE OF LOCALLY APPLIED DNA FRAGMENTS  
 Group Art Unit: 1635  
 Examiner: B. A. Whiteman

) ) **CERTIFICATE OF MAILING**

) ) I hereby certify that this paper is being deposited with the  
 United States Postal Service as first class mail in an  
 envelope addressed to Mail Stop Amendment,  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
 22313-1450, on this date.

) ) 12/9/04  
 Date

) )   
 David W. Clough, Ph.D.  
 Registration No. 36,107  
 Attorney for Applicant(s)

**TRANSMITTAL**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following in response to the Office Action of September 10, 2004:

1. (X) Amendment and Response to Office Action of September 10, 2004;
2. (X) Request to Change Docket Number.
3. Fee for Claims  
 (X) No additional fee is required.

The fee for additional claims in accordance with 37 C.F.R. §1.16(b)-(d) has been calculated as shown below:

				SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest No. Previously Paid for	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total	56	Minus	92	--	x	--	x
Indep.	24	Minus	59	--	x	-	x
Fee for Multiple Dependent Claims				+180	-	+360	-
<b>TOTAL ADDITIONAL FEES</b>				-	<b>OR</b>	-	

4. **Method of Payment of Fees**

- ( ) Enclosed is our firm check in the amount of: \$  
 ( ) Charge \$        to Deposit Account No. 08-3038 ..

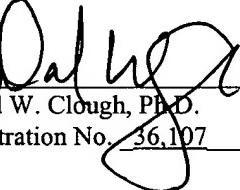
**AMENDMENT TRANSMITTAL**  
Attorney Docket No. 06225.0003.CPUS02

7. (X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 08-3038. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-3038. This sheet is filed in duplicate.

Respectfully Submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

December 9, 2004  
(Date)

By:   
David W. Clough, Ph.D.  
Registration No. 36,107

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, Illinois 60610  
(Direct) Phone No. (312) 595-1408  
(Direct) Fax No. (312) 595-2250

DEC 13 2004

O P E JCT 3  
U.S. PATENT & TRADEMARK OFFICE

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0)

## Complete if Known

Application Number	09/540,843
Filing Date	March 23, 2000
First Named Inventor	Gilchrest et al.
Examiner Name	Brian A. Whiteman
Art Unit	1635
Attorney Docket No.	06225.0003.CPUS02

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:Deposit Account Number  
Deposit Account Name

08-3038

Howrey Simon Arnold &amp; White LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	= -
			- 3** =	X	= -

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		- 0 -

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

-0

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	David W. Clough, Ph.D.	Registration No. (Attorney/Agent)	36,107	Telephone	312 595-1408
Signature				Date	December 9, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.